IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN INSOLVENCY

NOTICE OF MOTION NO. 195 OF 2006

IN

PETITION NO. 113 OF 2005

Re: Sushil Chowksey....
...Insolvent.

Ex-parte:
Dr.Naina Narottam Merchant...Petitioning Creditor.

Insolvent present-in-person.
Mr.Mansukhlal for the Petitioning Creditor.
Mr. Y.C.Parikh, Official Assignee-present.

CORAM : D. G. KARNIK, J.

DATED : 6TH FEBRUARY, 2007.

P.C.:

Heard the insolvent in person and the counsel for the petitioning creditor.

2. This notice of motion is taken out for setting aside the order of insolvency under section 21(1) of the Presidency Towns Insolvency Act on the ground that the creditors have been paid in full. In the affidavit in support, the insolvent has stated that the petitioning creditor was the only creditor, who

has been paid in full. Counsel for the petitioning creditor also admits the payment.

3. In the circumstances, notice of motion is made absolute in terms of prayer clause (a).

Sd/-

(D. G. KARNIK, J.)